

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ITALIANA COKE, S.R.L.,

Plaintiff,

v.

UNITED COAL COMPANY, LLC,

Defendant.

Case No. 08 CV 4725 (564)

**STIPULATION AND PROPOSED ORDER**

Defendant United Coal Company, LLC ("United Coal"), by its attorneys, together with Plaintiff Italiana Coke, S.R.L. ("Italiana Coke"), by its attorneys, hereby stipulate and agree that (i) the time for Italiana Coke to file its opposition to United Coal's motion to dismiss, transfer or stay in the above-captioned matter, is extended to and including July 28, 2008; and (ii) the time for United Coal to file its reply in further support of its motion to dismiss, transfer or stay is extended to and including August 11, 2008. In support of this Stipulation and Proposed Order, the parties state as follows:


1. The current date due for plaintiff Italiana Coke to file its opposition to defendant United Coal's motion to dismiss, transfer or stay is July 21, 2008.
2. United Coal and Italiana Coke jointly stipulate and respectfully request that the Court: (a) extend the due date for plaintiff Italiana Coke's time to file its opposition to United Coal's motion to dismiss, transfer or stay until July 28, 2008; and (b) extend the due date for defendant United Coal's time to file its reply in support of its motion to dismiss, transfer or stay until August 11, 2008.

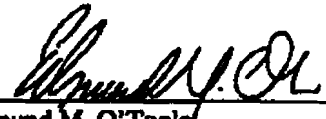
3. The parties previously sought and were granted an extension of time for Defendant United Coal to file their answer or otherwise respond to the complaint, to July 1, 2008. On July 1, 2008, United Coal filed its motion to dismiss, transfer or stay.

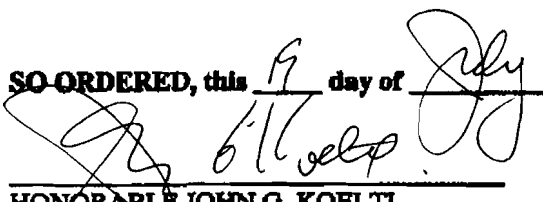
4. This is the first request for an extension of time regarding Italiana Coke's opposition to United Coal's motion to dismiss, transfer or stay and United Coal's reply in further support of its motion to dismiss, transfer or stay.

WHEREFORE, for the foregoing reasons, the parties jointly and respectfully request that the Court enter an order (i) extending the date for Italiana Coke to file its opposition to United Coal's motion to dismiss, transfer or stay, until July 28, 2008; and (ii) extending the time for United Coal to file its reply in further support of its motion to dismiss, transfer or stay until August 11, 2008.

Dated: New York, New York  
July 17, 2008

  
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SO ORDERED, this 19 day of July 2008.  
  
HONORABLE JOHN G. KOELTL  
UNITED STATES DISTRICT JUDGE